



THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION



DIRECTIVE



<input checked="" type="checkbox"/> NEW		<input type="checkbox"/> INTERIM	<input type="checkbox"/> REVISED	SUBJECT MENTAL HEALTH REFERRAL OF INMATES AWAITING DISCIPLINARY ACTION	
EFFECTIVE DATE 10/ 25/ 82		*TERMINATION DATE / /			
CLASSIFICATION # 4016	SUPERSEDES	DATED		DISTRIBUTION A	PAGE 1 OF 3 PAGES
RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER <i>[Signature]</i>				AUTHORIZED BY THE COMMISSIONER <i>[Signature]</i>	
SIGNATURE				SIGNATURE	

I. PURPOSE:

The purpose of this Directive is to set forth procedures for mental health referrals of inmates awaiting disciplinary action.

II. PROCEDURE:

- A. In the event that formal disciplinary action is initiated against an inmate classified as requiring "mental observation," the inmate shall be referred to the Mental Health Staff for evaluation of his mental health status. [A referral shall also be initiated for inmates not classified as requiring "mental observation" in those instances where the inmate has a history of suicide attempt, a history of being placed on mental observation status,] or whenever the alleged misconduct indicates the likelihood of a mental disorder e.g. repeatedly setting fires, assaultive behavior, hoarding of medication, or repetitive infractions.
- B. Referral to the Mental Health Staff may be initiated at any time during the disciplinary process. Whenever there is cause to request an evaluation of an inmate pending a disciplinary hearing, the request shall be promptly initiated.
- C. The investigation officer or other superior officer involved in the disciplinary process shall initiate the referral by preparing a written request, in duplicate, on Form 4016 "Request for Evaluation of Inmate Pending Disciplinary Action" which shall contain the following information:
 - a. Inmate's name, number, and housing location
 - b. Offense(s) charged

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PROCEDURES: (Continued)

- c. Reason for the request
- d. Signature and shield number of employee preparing the request.
- e. Date of report.

Distribution of Form 4016 "Request for Evaluation of Inmate Pending Disciplinary Action" shall be as follows:



- i. One copy to Chief of Services, Mental Health Staff
- ii. One copy to Disciplinary Officer

D. The Mental Health Staff shall respond to the referral by evaluating the inmate and preparing a written report, in duplicate, on Form 4016A "Evaluation of Inmate Pending Disciplinary Action and Recommendations to Disciplinary Officer", which shall contain the following information:

- a. Inmate's name, commitment number, and housing location.
- b. Findings relative to suicidal potential, depression, violence potential, and psychotic behavior.
- c. Recommendations relative to the disciplinary process
- d. Signature of the employee preparing the report
- e. Date of report

Distribution of Form 4016A "Evaluation of Inmate Pending Disciplinary Action and Recommendations to Disciplinary Officer", shall be as follows:

- i. One copy to the Disciplinary Officer
- ii. One copy to be filed in the inmate's medical/psychiatric chart.

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II. PROCEDURE:

- E. The "Evaluation of Inmate Pending Disciplinary Action and Recommendations to Disciplinary Officer", shall be completed and returned to the Disciplinary Officer within forty-eight (48) hours. Heads of facilities will ensure that inmates requiring this evaluation are promptly delivered to the Mental Health Staff upon their request. Inmates who are awaiting this evaluation shall be housed in the administrative segregation housing area or, in the case of an inmate who is on mental observation status, the mental observation housing area.
- F. The Disciplinary Officer shall review the findings and recommendations of the Mental Health Staff and proceed with careful consideration given to those findings and recommendations. If the Disciplinary Officer believes that the good order, discipline, and security of the facility will be threatened by actions taken in accordance with those recommendations, the Disciplinary Officer shall refer the matter to the head of the facility for final disposition. The head of the facility shall, in these cases, determine the course disciplinary action to be taken. If the head of the facility authorizes a course of disciplinary action that is contrary to the recommendation of the mental health staff, that person shall submit a report to the Office of the Chief of Operations that explains the reason for that particular course of action. The report shall be submitted no later than forty-eight (48) hours after the conclusion of the disciplinary hearing.
- G. After completion of the disciplinary proceeding, the Disciplinary Officer shall complete the disposition section of the "Evaluation of Inmate Pending Disciplinary Action and Recommendations to Disciplinary Officer." This section shall contain the following information:
 - a. Name of Inmate
 - b. Commitment number
 - c. Housing Location
 - d. Recommendations of Disciplinary Board
 - e. Signature of Disciplinary Officer

This section shall be detached and promptly delivered to the Mental Health Staff.

CITY OF NEW YORK
DEPARTMENT OF CORRECTION

REQUEST FOR EVALUATION OF AN INMATE PENDING DISCIPLINARY ACTION

DATE PREPARED _____
NAME OF INMATE _____
BOOK AND CASE NUMBER _____
LOCATION _____

1. Please be advised that the inmate named above has been charged with violating the following institutional rules:

- | | |
|----------|----------|
| 1. _____ | 3. _____ |
| 2. _____ | 4. _____ |

2. It is requested that this inmate be evaluated by the mental health staff because

- | | |
|-------|---|
| _____ | a. The inmate is classified as requiring mental observation. |
| _____ | b. The inmate has a history of being placed on mental observation status. |
| _____ | c. The inmate's alleged offense suggests the possibility of a mental disorder. |
| _____ | d. The inmate has a history of committing the same or similar violation of institutional rules. |
| _____ | e. The inmate has a history of a suicide attempt. |

3. Please submit a summary of your findings and recommendations for the disposition of the disciplinary hearing to the disciplinary officer within two (2) business days after receipt of this request.

Investigating Officer _____

Shield Number _____

Date _____

CITY OF NEW YORK
DEPARTMENT OF HEALTH

PRISON MENTAL HEALTH

Evaluation of Inmate Pending Disciplinary Action and
Recommendations to Disciplinary Officer

NAME OF INMATE _____
COMMITMENT NUMBER _____
LOCATION _____
DATE PREPARED _____

In accordance with the request submitted to our office, the inmate named above was evaluated by the mental health staff. Our findings and recommendations are as follows:

Findings

	No Evidence	Slight or occasional	Marked or repeated
Suicidal potential			
Depression			
Violence potential			
Psychotic indications			

Recommendations

- _____ Do not proceed with disciplinary hearings
- _____ Suspend disciplinary hearing until _____
pending further evaluation of this inmate's mental status
- _____ Proceed with disciplinary process but take the following precautions
- a. _____
- b. _____
- c. _____
- d. _____